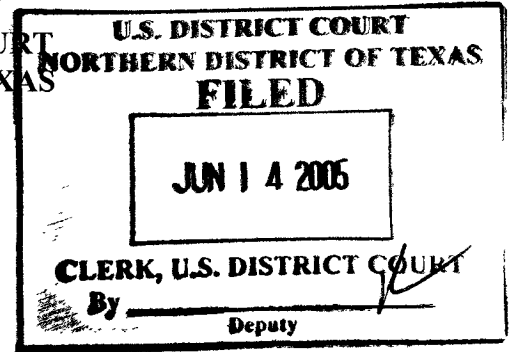


IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

ORIGINAL



MARK J. WATSON

v.

ELECTRONIC DATA SYSTEMS  
CORPORATION, ET AL

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3:04-CV-2291-H

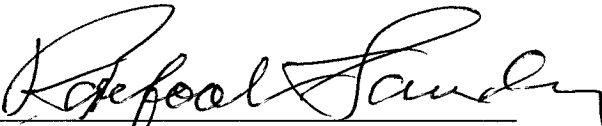
**ORDER**

Before the Court are the Report and Recommendation of United States Magistrate Judge, filed June 7, 2005, and Plaintiff's Original Brief in Opposition to Report and Recommendation and Plaintiff's Original Objections to Report and Recommendation, both filed June 10, 2005. After making the review required by 28 U.S.C. § 636(b), the Court finds that the Findings, Conclusions and Recommendation of the Magistrate Judge are correct, and they are adopted as the findings and conclusions of the Court, and Plaintiff's Objections are OVERRULED.

The court further finds that it has no jurisdiction to consider the actions of the Federal Defendants pursuant to the provisions of the Administrative Procedure Act and accordingly GRANTS Defendants' motions to dismiss Plaintiff's action with prejudice pursuant to Rule 12(b)(1) and 6).

IT IS FURTHER ORDERED that Watson's Original Motion for Sanctions is DENIED and EDS's cross-motion for attorney's fees and expenses is GRANTED and said motion is referred back to Magistrate Judge Sanderson for determination of the amount of monetary sanctions to be awarded.

Signed this 14 day of June, 2005.

  
BAREFOOT SANDERS, Senior Judge  
UNITED STATES DISTRICT COURT